

Filed on behalf of Robert D. Brand  
By: Raymond W. Green  
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Paper 16

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
(Administrative Patent Judge Jameson Lee)

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THOMAS A. MILLER AND DARREL C. PINKSTON,  
Junior Party  
(Patent 5,865,232),

v.

ROBERT D. BRAND,  
Senior Party  
(Application 09/377,120)

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Patent Interference No. 105,215

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BRAND SECOND POWER OF ATTORNEY

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AND INTERFERENCES

### **STATEMENT OF OWNERSHIP**

On November 11, 1996, sole inventor Robert D. Brand assigned his U.S. patent application later identified as Serial No. 08/752,800, filed November 20, 1996, and issued February 9, 1999, as U.S. Patent 5,868,187, to Capital Machine Co. Inc., a corporation of Indiana. The assignment was recorded in the U.S. Patent and Trademark Office on November 20, 1996, at Reel 8322, Frames 0416-19. The assignment from Brand to Capital Machine Co. Inc., recorded at Reel 8322, Frames 0416-19, applies to U.S. Patent Application Serial No. 09/245,954, filed February 5, 1998, because Serial No. 09/245,954 is a continuation of Serial No. 08/752,800; and to U.S. Patent Application Serial No. 09/377,120, filed August 19, 1999, because Serial No. 09/377,120 is a continuation of Serial No. 09/245,954.

On October 26, 1999, Capital Machine Co. Inc., a corporation of Indiana, assigned U.S. patent application Serial No. 09/245,954, filed February 5, 1998, to Indiana Forge, LLC, an Indiana limited liability company. The assignment was recorded in the U.S. Patent and Trademark Office on March 6, 2001, at Reel 11855, Frames 0892-902. The assignment from Capital Machine Co. Inc. to Indiana Forge, LLC, applies to U.S. Patent Application Serial No. 09/377,120, filed August 19, 1999, because Serial No. 09/377,120 is a continuation of Serial No. 09/245,954.

Accordingly, record title to U.S. Patent Application Serial No. 09/377,120 is now in Indiana Forge, LLC.

### **STATEMENT OF AUTHORITY**

William L. Koss states that he is a Member of Indiana Forge, LLC, and is authorized to act on behalf of Indiana Forge, LLC.

**STATEMENT OF POWER OF ATTORNEY**

Indiana Forge, LLC grants power of attorney to the following, to represent Indiana Forge  
in U.S. Patent Application Serial No. 09/377,120 and in Interference 105,215, Miller v. Brand:

Raymond W. Green, Reg. No. 24,587, direct telephone 312-321-4222,

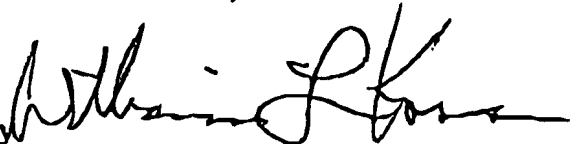
Henry L. Brinks, Reg. No. 17,013, direct telephone 312-321-4202, and

David H. Badger, Reg. No. 22,597, telephone 317-636-0886.

Communications for U.S. Patent Application Serial No. 09/377,120 should be sent to the  
address for Customer No. 757.

Communications for Interference 105,215 should be sent as directed in the BRAND  
DESIGNATION OF LEAD AND BACKUP COUNSEL.

INDIANA FORGE, LLC

By   
William L. Koss, Member

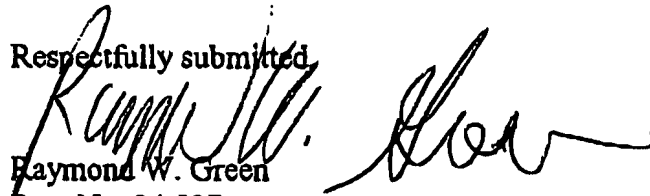
INDIANA FORGE, LLC  
15411 Shelbourne Road  
Westfield, IN 46074

May 17, 2004

**CERTIFICATE OF FILING AND SERVICE BY FACSIMILE**

The undersigned hereby certifies that two copies of the foregoing POWER OF ATTORNEY and CHANGE OF CORRESPONDENCE ADDRESS [for Brand Application 09/377,120], one marked "[COPY FOR JUDGE]", were filed with the Board of Patent Appeals and Interferences by facsimile transmission to (703) 305-0942 this 18<sup>th</sup> day of May, 2004; and that a copy was served on counsel of record for the party MILLER, Clifford W. Browning, Woodard, Emhardt, Moriarity, McNett & Henry LLP, Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, IN 46204-5137, by facsimile transmission to (317) 637-7561, the same day.

Respectfully submitted,

  
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Lead Attorney for BRAND

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May 18, 2004